

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re:

CARMEN ASTRID BERGERON

Debtor.

CASE NO. C24-1682 MJP

Bankruptcy No. 23-12506-CMA

ORDER DENYING MOTION FOR  
RECONSIDERATION

CARMEN ASTRID BERGERON,

Defendant/Appellant,

v.

EDMUND J. WOOD, Trustee.

Plaintiff/Appellee.

This matter comes before the Court on Appellant's Motion for Reconsideration. (Dkt. No. 11.) Having reviewed the Motion, Appellee's Response (Dkt. No. 12), and all supporting materials, the Court DENIES the Motion.

Under the Local Civil Rules, motions for reconsideration are disfavored and require "a showing of manifest error in the prior ruling or a showing of new facts or legal authority which

1 could not have been brought to its attention earlier with reasonable diligence.” LCR 7(h)(1).  
2 Responses are not to be filed unless requested, though, as Appellee points out, a response was  
3 reasonable given the styling and content of Appellant’s Motion as one potentially seeking relief  
4 under Rule 60.

5 Appellant argues that the Court erred in dismissing her appeal as untimely because it did  
6 not properly account for a federal holiday. Appellant is correct. The Court faulted Appellant for  
7 not filing her appeal by October 14, 2024, but the Court did not properly note that the 14th was a  
8 federal holiday. Under the Rule 6(a)(2) and Local Civil Rule 6(a), the filing deadline was  
9 necessarily extended to October 15, 2024, as Appellee concedes. (See Resp. at 1.) Appellant’s  
10 notice of appeal was therefore timely, and the Court GRANTS Appellant’s Motion on this issue  
11 and reverses this portion of its Order of Dismissal (Dkt. No. 9).

12 But the Court’s decision to grant the Motion for Reconsideration does not save  
13 Appellant’s appeal. As the Court made clear in its Order of Dismissal, it also found that it lacked  
14 jurisdiction over Appellant’s appeal, given that she was not appealing a final judgment, order, or  
15 decree. (See Order of Dismissal (Dkt. No. 9).) So even though Appellant is correct that her  
16 appeal was timely, she has not offered any basis for the Court to reconsider its determination that  
17 it lacks jurisdiction over this appeal. The appeal will therefore remain DISMISSED.

18 The clerk is ordered to provide copies of this order to Appellant and all counsel.

19 Dated February 12, 2025.

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21 Marsha J. Pechman  
22 United States Senior District Judge  
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